

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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THE NEW YORK TIMES COMPANY and  
CHARLIE SAVAGE,

Plaintiffs,

v.

DEPARTMENT OF JUSTICE,

Defendant.  
-----X

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 8/9/2018

18 Civ. 2054 (AT)

**STIPULATION AND ORDER  
OF SETTLEMENT AND DISMISSAL**

WHEREAS Plaintiffs The New York Times Company and Charlie Savage (together, "The Times") filed this suit in the United States District Court for the Southern District of New York pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, seeking the release of certain documents by Defendant Department of Justice ("DOJ"), in connection with an earlier administrative request for the same information (the "FOIA Request"); and

WHEREAS the parties desire to resolve all remaining issues related to The Times's FOIA Request;

IT IS HEREBY STIPULATED AND AGREED, by and between the parties, as follows:

1. In exchange for The Times's agreement to dismiss this action, DOJ agrees to provide to The Times any documents responsive to The Times's FOIA Request that are released in related actions.<sup>1</sup> Further, DOJ agrees to provide to The Times any publicly-released Vaughn Index from these same actions.

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<sup>1</sup> The related actions are: (i) *James Madison Project v. DOJ*, No. 17-597-APM (D.D.C.); (ii) *Poulsen v. U.S. Department of Defense*, No. 17-cv-3531-WHO (N.D. Cal.); (iii) *Judicial Watch v. DOJ*,

2. The parties' agreement fully settles any and all claims The Times now has or may hereafter acquire against DOJ or the United States of America (the "United States"), or any department, agency, officer, or employee of DOJ and/or the United States, related to or arising out of Plaintiffs' FOIA Request at issue in this action.

3. This action is hereby dismissed with prejudice, with each party to bear its own fees and costs, provided that the Court shall retain jurisdiction over any issues that may arise relating to this Stipulation and Order.

4. The parties understand and agree that this Stipulation and Order contains the entire agreement between them, and that no statements, representations, promises, agreements, or negotiations, oral or otherwise, between the parties or their counsel that are not included herein shall be of any force or effect.

Dated: New York, NY  
August 9, 2018

GEOFFREY S. BERMAN  
United States Attorney for the  
Southern District of New York



By: ANDREW E. KRAUSE  
Assistant United States Attorney  
86 Chambers Street, 3rd Floor  
New York, New York 10007  
Tel.: (212) 637-2769  
Fax: (212) 637-2786  
Email: andrew.krause@usdoj.gov

*Counsel for Defendant*



DAVID E. MCCRAW  
Legal Department  
The New York Times Company  
620 8th Avenue, 13<sup>th</sup> Floor  
New York, NY 10018  
Tel: (212) 556-4031  
Fax: (212) 556-4634  
Email: mccraw@nytimes.com

*Counsel for Plaintiffs*

SO ORDERED.

Dated: August 9, 2018  
New York, New York

A handwritten signature in black ink, appearing to read 'Analisa Torres', positioned above a horizontal line.

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ANALISA TORRES  
United States District Judge